HIGH COURT OF UTTARANCHAL AT- NAINITAL.

Writ Petition No. 833(S/S) 2004

Mohmmad Saleem,
Working as Assistant Clerk in the office of
Kand Vidas Adhikari,
Hawalbagh, Almora, ….Petitioner.

Vs.

Chief Development Officer Almora,
And three others. ….Respondents.

Sri S.S. Yadav, learned counsel for the petitioner,
Sri J.P. Joshi, learned Standing Counsel for the respondents.

Hon'ble M.M. Ghildiyal, J.:

Heard Sri S.S. Yadav, learned counsel for the petitioner and Sri J.P. Joshi, learned Standing Counsel for the respondent nos. 1 to 3.

By means of this writ petition, the petitioner has challenged the transfer order dated 12.07.2004 passed by the District Development Officer, Almora/respondent no. 2 by which the petitioner has been transferred from Vikas Khand Hawalbagh to Vikas Khand Salt in the district Almora. the petitioner has submitted that last year too he was transferred from Salt, Almora to Bhikiyasain and the said order was challenged by him in this High Court in writ petition no. 481 (S/S) 2003 in which the petitioner was directed to approach to the higher authorities in the department by filing representation and the authorities concerned shall consider the same within one month.

Every year the petitioner is being transferred. The petitioner has challenged the earlier transfer order and managed to remain in Vikas Kand, Hawalbagh district Almora to the whole year. The petitioner has obtained order from this Court to consider the representation of the petitioner. Contention of the petitioner is that the respondents have not taken any decision on the representation of the petitioner and they have again transferred the petitioner from Vikas Kand Hawalbagh to Vikash Khand Salt, district Almora. I have perused the order impugned, which reveals that the respondents have committed no illegality by passing the transfer order. I find no force in the submission of the petitioner. The writ petition to be dismissed.

However, liberty is given to the petitioner, that if he files representation before the authority concerned, the authority concerned shall take decision on the same within a period of two weeks from the date of filing representation.

With these directions, the writ petition is finally disposed of.

(M.M. Ghildiyal, J)

July 22, 2004:
NCM